

## **II. REMARKS:**

### **A. Status of the Claims**

Claims 1-14 were originally filed with the application. All claims were rejected in an Office Action mailed February 22, 2002. In a Response mailed on May 9, 2002, claims 1-7 were cancelled and claim 9 was amended. The remaining claims, claims 8-14, were rejected in a Final Office Action mailed August 27, 2002. Claim 8 was amended in a Response mailed on October 24, 2002. An Advisory Action was mailed on December 4, 2002, in which it was stated that the amendment to claim 8 was not entered because it raised new issues that would require further consideration and/or search. It was also stated in the Advisory Action that the proposed amendment would be entered upon the filing of an appeal. A Request for Continued Examination (RCE) was filed on January 20, 2003. Claims 8-14 were pending at the time of an Action mailed February 13, 2003. Claims 11-14 were cancelled, claim 8 was amended and claims 15-26 were added in a Response mailed August 12, 2003.

Claims 8-10 and 15-21 were rejected in an Office Action mailed December 11, 2003. Claims 22-26 were withdrawn by the examiner as being directed to a subject matter which was not presented originally. Applicant reserves the right to re-file claims 22-26 in a continuation application. Claims 8 and 10 were amended and claim 9 was cancelled in a Response mailed on April 12, 2004. Support for the amendment to claim 8 is found in the specification and in claim 9 as originally filed. The amendment to claim 10 simply corrects the dependency of claim 10 after cancellation of claim 9.

Serial No.: 09/856,987 (Conf. No. 6461)  
Filed: May 25, 2001  
Page 4

A Notice of Non-Compliant Amendment was mailed on May 13, 2004, stating that the Response mailed on April 12, 2004, lacked a complete listing of all claims. This paper provides the requested complete listing, including all previously cancelled claims. It was unclear to Applicant whether the amendments made to claims 8 and 10 in the April 12, 2004 Response were entered. Therefore, they are presented in the listing herein as "not entered" due to their status being unknown. Applicant respectfully requests that they be entered.

**B. Conclusion**

This is submitted to be a complete response to the outstanding Notice of Non-Compliant Amendment. Based on the foregoing arguments, the claims are believed to be in condition for allowance; a notice of allowability is therefore respectfully requested.

The Examiner is invited to contact the undersigned attorney at (817) 551-4321 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Teresa J. Schultz  
Reg. No. 40,526  
Attorney for Applicants

ALCON RESEARCH, LTD.  
6201 S. Freeway, Q-148  
Fort Worth, TX 76134-2099  
(817) 551-4321

Date: 13 Oct. 2004